THE HON'BLE SRI JUSTICE J.CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

W.A.NO.243 OF 2007

ORAL ORDER:
(per the Hon'ble Sri Justice J.Chelameswar)

Aggrieved by an order dated 15-02-2007 in W.V.M.P.No.129 of 2007 in W.P.M.P.No.24043 of 2005 in W.P.No.18905 of 2005, the writ petitioner in W.P.No.18905 of 2005, preferred this writ appeal.

The appellant and the 5th respondent are employees of the 4th respondent-college, working as lecturers. There is an *inter se* seniority dispute between these two. The 3rd respondent herein, by his proceedings dated 20-08-2004, issued proceedings declaring the 5th respondent herein as senior to the appellant in the cadre of lecturers. Aggrieved by the same, the appellant approached this Court by way of the abovementioned writ petition. Initially there was an interim order in favour of the appellant on 21-12-2006, but subsequently, on application by the 5th respondent, in the abovementioned W.V.M.P. the order under challenge came to be passed vacating the interim order. The learned single Judge on a consideration of the material before him came to the

conclusion that; "**unless and until the writ petition is disposed of, no interim order could be passed**."

Even otherwise, the claim of seniority is not such a thing requiring interference of this Court in exercise of the powers under the Letters Patent Act as no irreparable injury would be caused to the appellant by not granting the interim order. If, eventually, he succeeds in the writ petition, he can have the seniority declared.

We do not see any merits in the writ appeal and the same is, therefore, accordingly, dismissed at the stage of admission.

J.Chelameswar, J

P.Swaroop Reddy, J

mrk

22nd March 2007